

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

TURF CUSHION, INC., et al,

Plaintiffs,

v.

THE RECREATIONAL GROUP,
LLC, et al,

Defendants.

Civil Action No. 4:21-cv-00204-LMM

JOINT PRELIMINARY REPORT AND DISCOVERY PLAN

1. Description of Case:

(a) Describe briefly the nature of this action.

This is a civil action alleging infringement of United States Patent No. 10,870,951 (the “‘951 Patent”). Plaintiffs seek judgment that Defendants infringed and continue to infringe the ‘951 Patent by making, using, selling, offering for sale, and/or importing the Polygreen Pro foam products, in violation of 35 U.S.C. § 271(a).

Plaintiffs seek damages sufficient to compensate Plaintiffs for Defendants’

* * * * *

SCHEDULING ORDER

Upon review of the information contained in the Joint Preliminary Report and Discovery Plan form completed and filed by the parties, the Court orders that the time limits for adding parties, amending the pleadings, filing motions, completing discovery, and discussing settlement are as set out in the Federal Rules of Civil Procedure and the Local Rules of this Court, except as herein modified:

See attached Litigation Schedule.

IT IS SO ORDERED, this 7th day of March, 2022.

A handwritten signature in blue ink, reading "Leigh Martin May", is written over a horizontal line.

LEIGH MARTIN MAY
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF GEORGIA

EXHIBIT A**PROPOSED LITIGATION SCHEDULE**

TASK	(PATENT) LOCAL RULE	DEADLINE
Joint Preliminary Report and Discovery Plan Filed	L.R. 16.2	02/14/2022
Discovery Begins		02/14/2022
Parties Serve Initial Disclosures		02/14/2022
Plaintiff's Infringement Contentions	P.L.R. 4.1	3/16/2022
Defendants' Disclosure of Invalidity Contentions Defendants' Response to Infringement Contentions	P.L.R. 4.2/4.3	4/15/2022
Exchange of Proposed Terms for Claim Construction	P.L.R. 6.1(a)	5/15/2022
Exchange of Preliminary Constructions and Preliminary Identification of Extrinsic Evidence	P.L.R. 6.2	6/4/2022
Joint Claim Construction Statement	P.L.R. 6.3	6/24/2022
End of Claim Construction Discovery	P.L.R. 6.4	7/9/2022
Simultaneous Opening Claims Construction Briefs Due	P.L.R. 6.5(a)	7/24/2022
Simultaneous Responsive Claim Construction Briefs Due	P.L.R. 6.5(b)	8/13/2022
Claim Construction Hearing	P.L.R. 6.6	At the Court's convenience
End of Factual Discovery Period	P.L.R. 6.7	45 days after the Court issues its Claim Construction Order*
Initial Expert Witness Disclosures – Issues on which each party bears the burden of proof	P.L.R. 7.1(b)	45 days after the close of fact discovery
Initial Expert Witness Disclosures – Issues on which the opposing party bears the burden of proof	P.L.R. 7.1(c)	90 days after the close of fact discovery
Rebuttal Expert Witness Disclosures	P.L.R. 7.1(d)	110 days after the close of fact discovery
Depositions of Expert Witnesses begin	P.L.R. 7.2	120 days after the close of fact discovery
Depositions of Expert Witnesses end	P.L.R. 7.2	150 days after the close of fact discovery

TASK	(PATENT) LOCAL RULE	DEADLINE
Dispositive Motions Deadline	L.R. 56.1	45 days after Close of Period for Expert Depositions
Consolidated Pretrial Statement	L.R. 16.4	30 days after Court's ruling on any pending motions for summary judgment

* Pursuant to Local Rule 56.1D and Local Patent Rules 6.7 and 7.1(b), this and all subsequent deadlines are contingent upon the timing of when the Court issues its claim construction ruling.